

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

JERRY BLASINGAME)
)
)
Plaintiff,)
)
)
	CIVIL ACTION
	FILE NO:1:19-CV-2047-SCJ
v.)
)
)
OFFICER J. GRUBBS, #6416; and)
CITY OF ATLANTA/ATLANTA)
POLICE DEPT.)
)
)
Defendants.)
)

**DEFENDANTS OFFICER J. GRUBBS AND CITY OF ATLANTA'S
STATEMENT OF UNDISPUTED MATERIAL FACTS**

COME NOW, Defendants Officer J. Grubbs (“Officer Grubbs”) and the City of Atlanta (“the City”, individually or, collectively, “City Defendants”), by and through the undersigned counsel, and file this Statement of Undisputed Material Facts:

1.

On July 10, 2018, APD Officers Grubbs and Keith Shelley observed Plaintiff

on Interstate 20 East, an interstate highway, at or near the Windsor Street exit.¹

2.

At the time, both Officers were on duty and patrolling in the City of Atlanta.²

3.

Plaintiff was ultimately arrested and charged with violating O.C.G.A. §§ 17-4-46 (Willful Obstruction of Law Enforcement Officers) and 40-6-97 (Pedestrian Soliciting Rides/Business).³

4.

Plaintiff admits that he was engaged in panhandling on July 10, 2018 and that he had engaged in, and been arrested for panhandling, prior to July 2018.⁴

Respectfully Submitted,

/s/ Staci J. Miller
STACI J. MILLER
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Attorneys for City Defendants

¹ Deposition of Jon Grubbs, hereinafter “Grubbs Dep.”, at 59:3 – 8, attached hereto as Exhibit A; *Amended Complaint*, at 11-12; Deposition of Jerry Blasingame, hereinafter “Blasingame Dep.”, 26:17 – 30:8, attached hereto at Exhibit B.

² Grubbs Dep. 58:21 – 59:2; *See Amended Complaint*, at 6 – 7.

³ Traffic Citations and Criminal Warrants, previously produced as Blasingame/COA 400 – 404, attached hereto as Exhibit C.

⁴ Blasingame Dep. 26:17 – 29:22, 16:9 – 17:21.

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CERTIFICATE OF SERVICE

This is to certify that I have this day served all parties with a copy of the following:

- DEFENDANTS CITY OF ATLANTA AND JON GRUBBS' MOTION FOR PARTIAL SUMMARY JUDGMENT AND INCORPORATED BRIEF IN SUPPORT;
- CITY DEFENDANTS' STATEMENT OF UNDISPUTED MATERIAL FACTS; and
- NOTICE OF FILING OF ORIGINAL DISCOVERY

via the CM/ECF Electronic Filing System upon all counsel of record.

This 26th day of April, 2021.

[SIGNATURE ON FOLLOWING PAGE]

RESPECTFULLY SUBMITTED,

/s/ Staci J. Miller

STACI J. MILLER

Attorney

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